

# GUIDANCE FOR A WASTE PESTICIDE COLLECTION PROGRAM UNDER THE UNIVERSAL WASTE RULE

Collection programs for unused pesticide products which are conducted under The Massachusetts Universal Waste Rule [310 CMR 30.1000] must be authorized by the Massachusetts Department of Food and Agriculture (DFA).

**A Waste Pesticide Collection Program (“Collection Program”)** means a program for the collection of unused pesticide products that has been authorized by DFA that sets forth standards regarding the scope of materials to be collected as well as accumulation, storage, packaging, labeling, training, notification and transport.

This guidance has been developed by the Department of Environmental Protection (DEP) in collaboration with the Pesticide Bureau of DFA. The municipality or municipalities which organize the Collection Program (“Sponsor”) are responsible for complying with all provisions of 310 CMR 30.1000. For assistance in developing a pesticide collection program, call DFA at (617)-727-3020 or DEP at 1-800-343-3420.

## General Rule

Universal Waste Pesticides shall be managed in a way that prevents releases to the environment and in compliance with all provisions of the Collection Program standards (as defined in 310 CMR 30.1010).

## Notification

DFA must be notified about any proposed collection program at least forty five days prior to intended implementation of the proposed program.

## Scope of Materials to be Collected

For the purposes of this Collection Program, pesticides are considered to be the following materials:

- ◆ **Insecticides** (e.g. Garden Dusts, Soap, Sprays, Mosquito Repellents, Bug Sprays),
- ◆ **Herbicides** (e.g. Weed Killers, Weed and feed lawncare products),
- ◆ **Fungicides** (e.g. Rose and Flower Sprays), and
- ◆ **Rodenticides.**

## Safety Plan & Training

It is the responsibility of the Sponsor to ensure that its operations are conducted in a safe and secure manner at all times. The Sponsor must take all necessary precautions and provide all necessary safeguards to prevent personal injury and property damage while carrying out the program. The Sponsor must provide protection for all persons, including but not limited to, Collection Program workers (“workers”), employees, members of the public, Collection Site facility (“Collection Site” or “Site”) employees, representatives and agents, and any regulating agencies employees who may be on-site regarding this work or other work on-site. The Sponsor must provide protection for all public and private property including but not limited to structures, pipes and utilities, above and below ground.

The minimum number of staff required to safely and efficiently operate the pesticide collection program is two. At least one of the staff assigned to this program must be 29 CFR 1910.120 certified (40 hour HAZWOPPER). The second staff person must be trained to, at least, the awareness level (8 Hours). Nobody is allowed to receive/ collect pesticides alone.

The OSHA training will give Sponsor personnel the

knowledge required to handle emergency situations and the knowledge of the dangers involved in the collection and handling of hazardous materials (i.e. pesticides). Orientation & training session(s) involving the designated Contractor who will be packaging, transporting & disposing is also required. This “hands-on” training will be done in two parts. The first part will outline the proper storage requirements and record keeping, and the second part will be hands on training conducted before and during an actual collection day.

The Sponsor must have measures in place, and the workers must be trained as necessary, to respond as required by environmental laws and regulations to a spill or release of the materials being collected during their collection and transport.

The Sponsor must designate a responsible person as the **Safety Officer** whose duty must be to ensure the safety of the Sponsor's Collection Program **at all times** (and to be on site **at all times** during all operations). This person must be responsible for developing an **Emergency Response Plan** and a **Health and Safety Plans (HASP)** and have the authority to take immediate action to correct unsafe or hazardous conditions and to enforce all safety precautions.

The Sponsor must have measures in place to protect the Collection Program workers from the hazards associated with pesticides to which they may be exposed in the workplace. All staff who handle the pesticides should be supplied with, and be required to wear, a chemical resistant apron, safety glasses and gloves. Long sleeved shirts and pants are required.

The Collection Site should have a portable eye wash immediately accessible to the pesticide area, and water in the form of a hose, or jugs which can supply 3 gallons per worker. Soap and water and clean towels and a change of clothing should be provided. The Site must have at least two 20-pound, ABC dry chemical or carbon dioxide fire extinguishers available for use.

The Site must have a telephone or two-way communication system with a sign or bulletin board immediately accessible and readable, listing the

telephone numbers of emergency responders and the Poison Control Center.

## **Operations Plan**

### ***Receiving the waste pesticides***

The Sponsor must provide adequate staffing, which may be contracted, at all Sites to off-load and remove wastes and pesticide containers from vehicles, segregate, classify as flammable, non-flammable or solid, and place in storage bins/ totes prior to storing the collected materials. Trained **Pesticide Collection Program Staff** should check the condition of the materials before removing them from the vehicle. Bags are often torn or damaged and dust can be toxic. Staff should have a supply of clear plastic bags ready to use before moving materials. Shallow plastic totes can be useful for moving and storing small items as well as for stacking and storing.

The Sponsor must provide a mechanism for maintaining an inventory system on-site that identifies types and volumes of wastes, and dates received.

Each storage bin should be labeled as flammable, non-flammable or solid, and labeled on the outside of the bin as filled when maximum capacity is reached. A label showing the date when maximum capacity is reached should be applied to the outside of the bin.

### ***Packaging***

The Universal Waste Pesticide shall be overpacked in, or contained in, a vessel that remains closed, structurally sound, compatible with the pesticide and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. All small containers should be placed in rigid plastic totes which can be stacked. Solids should be bagged in clear plastic trash bags, individually if pesticide package is torn or damaged.

***Staff should not bulk any pesticide materials!***

### ***Labeling***

Labels on containers are important for understanding the toxicity of the material and for determining future disposal.

Pesticides should be stored with the label that was on or accompanied the product as sold or distributed if still legible **or**, with the appropriate label as required

under Department of Transportation regulation 49 CFR part 172, as in effect on July 1, 1996 **or**, with the words "Universal Waste Pesticide(s)" or "Waste Pesticides".

A storage container (or multiple container package unit), bin, tank, or vessel in which universal waste pesticides are contained shall be labeled or marked clearly with the words **"Universal Waste Pesticide(s)"**.

#### **Accumulation**

No more than 5,000 kilograms. (11,000 pounds) of Universal Waste Pesticide can be accumulated and stored at any one time. Universal Waste Pesticides can be accumulated for no longer than one year from the date the Universal Waste Pesticides are received. The length of time that the Universal Waste has been accumulated from the date it is received shall be demonstrated by:

1. Placing the Universal Waste Pesticide in a storage bin and marking or labeling the bin with the earliest date on which any Universal Waste Pesticides in the container are received, and
2. Planning a shipment off-site as soon as the capacity (less than 11,000 pounds) of the storage area is reached, at least within one year from the date the pesticides are received.

Pesticides cannot be stored over the winter unless heating is provided to maintain temperatures between 40F and 100F to prevent the pesticides from freezing. All pesticides should be shipped offsite by the end of November.

#### **Storage**

**Areas used for the storage of pesticides shall be constructed in accordance with 780 CMR (the State Building Code) and the BOCA Mechanical Codes listed in 527 CMR 12.00 Appendix A and all other applicable State regulations. It is important to consult with an engineer or licensed contractor familiar with the state building code requirements before implementing any plan.**

Pesticides which are collected as "universal wastes" must be segregated and placed in a storage area which is labeled as "Universal Waste Pesticides". The storage facility should provide adequate within-

building spill containment. In the event of an accident or major spillage, **the building should be capable of containing 125% of the volume of the largest container.** The pesticide storage area should be located away from direct sunlight, freezing temperatures and extreme heat. Temperatures in the storage area must be kept between 40F and 100F. The area should be well ventilated either by windows or a fan to avoid the build up of fumes. Pesticides should be stored in accordance with their label requirements in their original container with the label clearly visible.

Separation of pesticides by hazard and function is essential. It is important to review the Material Safety Data Sheet or to inspect the pesticide label for flammable components in the pesticide, such as benzene or petroleum distillates, to determine if the pesticides to be stored are flammable. Flammable pesticides should be stored separately from non-flammable pesticides, in a steel fire proof cabinet. If storing flammable pesticides, steel cabinets must be fire-rated and meet OSHA and NFPA Code 30 specifications.

Storage cabinets should have secondary containment systems. Leaks should be detectable. Absorbent materials, such as Speedy-Dry should be readily accessible to clean up any spills or leaks. Whenever the storage area is not in active use it should be secured against unauthorized entry.

The time limit for the storage of Universal Waste Pesticides is one year from the time the waste is first collected. The volume limit for "small quantity universal waste handlers" is 5,000 kilograms, or 1,350 gallons. However, most municipal collection programs will be limited by the capacity of the storage units. Local fire officials should be consulted to determine if the storage plan meets the fire code. Consult DFA for more details on pesticide storage.

#### **Packaging and Transportation Offsite**

Packaging for over-the-road transport must be done by the licensed hazardous waste transporter in order to meet federal DOT standards and the requirements of the receiving facility. For more information about prices, please call the Pesticide Bureau at (617) 727-3020 extension 193.

## **Participant Education Plan**

The Sponsor should also have a plan for the promotion of the Collection Program and means to educate participants about appropriate **packaging, labeling, handling and transportation procedures**. Included in the plan should be information about how to clean up any potential spillages and the scope of pesticides to be collected. The plan should state the location, driving directions, hours, days and months of the collection event. Participants who transport their unwanted pesticides to a Collection Site must be instructed in advance about proper handling and packaging.

#### ***Handling, Packaging and Transportation***

Original labels should be kept with the container. When handling pesticides, the use of personal protective equipment is recommended. At a minimum, gloves (rubber, nitrile or neoprene) and long sleeve shirts should be worn. Rubber boots, a hat, goggles and a face mask are also recommended.

#### ***dry materials***

The bag should be placed upright in a sturdy cardboard box in the back of the vehicle (not the passenger compartment).

If the bag is damaged or torn or if the integrity of the bag is, or is suspected to be, in anyway compromised the original bag should be placed inside of a clear, oversized, leak proof plastic garbage bag. The bag should be closed with a twist tie.

The bag should then be placed upright in a sturdy cardboard box in the back of the vehicle (not the passenger compartment) and secured with bundled up newspapers.

#### ***liquid materials***

The container should be placed upright in a sturdy leakproof cardboard box in the back of the vehicle (not the passenger compartment).

If the container is leaking or its integrity is in anyway compromised or suspected of being compromised, the container should be carefully placed in an oversized, leak proof plastic bucket or similar vessel.

The container should be placed upright in a sturdy leakproof cardboard box in the back of the vehicle

(not the passenger compartment).

Sponsors should be able to assist participants in getting rid of their unwanted pesticides with the goal of reducing the need for such a collection through increasing public awareness. This can be achieved by educating the program participants about the benefits of environmentally responsible approaches to pest management such as Integrated Pest Management (IPM). For more information about IPM educational information, call DFA.

#### ***Summary Report***

The Sponsor **must** submit to DFA no later than three months after the first collection event and subsequently on an annual basis, one year from the date of the first collection event, a summary report describing the types and volumes of pesticides collected at each Site, the number of participants, the costs incurred, and any recommendations for future waste pesticide collection programs.